

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

BERTHA E. KING,

Plaintiff,

v.

Case No. 08-11664

COMMISSIONER OF SOCIAL SECURITY,

District Judge Arthur J. Tarnow

Defendant.

Magistrate Judge Donald A. Scheer

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**ORDER ADOPTING REPORT AND RECOMMENDATION [15];
DENYING PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT [10];
AND GRANTING MOTION TO REMAND CASE [14]**

The court ADOPTS Magistrate Judge Scheer's report and recommendation. No objections were filed.

Accordingly, plaintiff's motion for summary judgment is DENIED; the defendant's motion to remand is GRANTED; and this case is REMANDED for further consideration as set forth in Magistrate Judge Scheer's report.

SO ORDERED.

S/ARTHUR J. TARNOW
Arthur J. Tarnow
United States District Judge

Dated: February 26, 2009

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 26, 2009, by electronic and/or ordinary mail.

S/THERESA E. TAYLOR
Case Manager